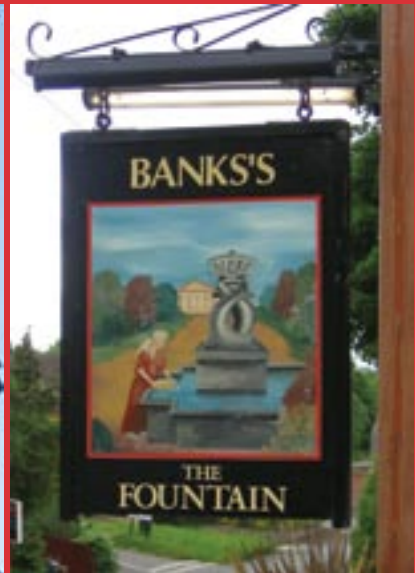


Alcohol, Tobacco and Other Drugs

Prevention File



Mixed Messages

Tobacco control messages are underrepresented in military newspapers, and nearly 10 percent of those newspapers carry tobacco advertisements, according to a study in the *American Journal of Public Health* (August 2005).

In an analysis of tobacco-related articles and industry advertisements in 793 military newspapers, researchers found that tobacco use received the least coverage of any health topic.

When the newspapers did write about tobacco control, the primary message used was that smokers are endangering their health, a message that has not proven to help users kick the habit.

"Military newspapers from the Army, Marines, and Navy may inadvertently send mixed messages to personnel by providing advertisements for tobacco while also reporting that tobacco is harmful," the study's authors wrote. "Therefore, installation newspapers provide an opportunity for the military to more effectively address tobacco use among its personnel."

The Real Culprit—Alcohol

Women mistakenly blame spiked drinks for making them vulnerable to sexual assaults, according to the British Forensic Science Service (*Journal of Clinical Forensic Medicine*, August 2005).

FSS analyzed more than 1,000 cases and found that by drinking heavily and taking recreational drugs, women are actually making themselves vulnerable to sex attacks. The finding is at odds with the widespread perception that women who fail to stay alert in bars can fall prey to men who spike their drinks.

Researchers established that in only 2 percent of cases was there a direct link between a sexual assault and drinks spiked with so-called date-rape drugs. In only 21 cases were traces of drugs found where the complainant had not taken them voluntarily. Rohypnol, perceived as the

most common date-rape drug, was not found in a single sample.

Researchers suggest that a combination of drink and recreational drugs, such as cannabis, cocaine and amphetamines, could be causing women to become drowsy or lose their inhibitions.

Sixty-five per cent of the tested samples contained either alcohol, illegal drugs or both. Alcohol was detected in 46 percent of cases and recreational drugs in 34 percent. The findings prompted the report's authors, Michael Scott-Ham and Fiona Burton of the FSS, to warn: "Advice should be given on sensible drinking and risks of recreational drugs use."

A team led by Ian Hindmarch, professor of human psychopharmacology at Surrey University, has analyzed 3,000 urine samples from Americans who claimed to have been victims of date rape. He said the commonest drug found was alcohol.

"Detailed testing does not support the contention that any single drug apart from alcohol can be particularly identified as a date-rape drug," he said. "I do not say drug-assisted sexual assault doesn't happen but it was alcohol that was making victims liable to be abused."

Medical-Marijuana Efforts Move Forward

Despite a U.S. Supreme Court ruling against state medical-marijuana laws, lawmakers in seven states are continuing their campaigns to pass such measures according to *USA Today* (June 15, 2005).

Lawmakers in Alabama, Connecticut, Minnesota, New Mexico, New Jersey, Rhode Island, and Wisconsin said that they plan to proceed with medical-marijuana bills. According to Supreme Court, such laws do not protect drug users and suppliers from federal prosecution. A bill to prevent such prosecutions also was defeated this week in the U.S. House of Representatives.

The day after the Supreme Court ruling the Rhode Island Senate passed a medical-marijuana bill. At least one house of the legislature has passed similar bills in New Mexico, Alabama, and Connecticut. Alabama bill sponsor state Rep. Laura Hall said that while the rulings could make passage more difficult and give ammunition to

opponents, "I will continue to sponsor the bill."

Minnesota state Sen. Steve Kelley said the U.S. House vote might cause some lawmakers to take pause in acting on state medical-marijuana laws. But New Mexico state Sen. Cisco McSorley said the federal decisions would have little impact on local lawmakers. "The folks who voted for (the state law) last time didn't really care what the federal government was doing," McSorley said.

The Supreme Court ruling did have a chilling effect in New York. Senate Majority Leader Joseph Bruno, a Republican who was endorsing medical marijuana prior to the decision, has backed off plans to bring a state measure to a vote. "In light of the Supreme Court decision, it doesn't make sense to go ahead and pass a bill that's against the law," said a Bruno spokesman.

More Ammunition for Tobacco Control Advocates

At least 188,000 fewer New Yorkers were smoking two years after the city banned indoor smoking and hiked cigarette taxes, according to the city health department. Its annual city survey found that 18.4 percent of adult New Yorkers smoked in 2004, down from 19.2 percent in 2003 and 21.6 percent in 2002.

The smoking tax hike took effect in 2002; the indoor-smoking ban went into place in 2003. In the decade prior to the laws, the city's smoking rate had remained relatively unchanged.

The drop off was especially pronounced among young women: smoking among females ages 18 to 24 fell 40.5 percent from 2002 to 2004.

DUI Deaths Down

The National Highway Traffic Safety Administration has reported a 2 percent decrease in fatal crashes in 2004 involving at least a driver or a motorcycle rider with an illegal blood-alcohol level of 0.08 percent or higher. Drunken-driving deaths declined slightly across the nation and fell in 32 states last year.

NHTSA said that 12,874 motorists died under those circumstances in 2004, compared with 13,096 in 2003. All 50 states had a 0.08 standard with Minnesota's adoption of the law earlier this year.

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PREVENTION FILE Contents

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COVER
“PUBS”
by J. Lane Designs

2 24/7—A Good Idea for Bars?

Extended pub hours under fire in the United Kingdom

.....

7 Opening up the Wine Market

The Supreme Court decision on direct winery sales
to customers

.....

11 Lower the Drinking Age?

Two moves to undermine the age 21 drinking laws

.....

14 The World Health Organization and Alcohol

WHO's history when it comes to alcohol has been one of
“ups and downs”

.....

18 A New Tool for Enforcing Alcohol Laws

The National Center for Alcohol Law Enforcement

.....

Prevention Updates

Inside front and back covers



24/7— A GOOD IDEA FOR BARS?

STARTING IN NOVEMBER
DRINKERS IN ENGLAND AND
WALES will be able to pub crawl
24 hours a day, seven days a week under a new
law that essentially removes governmental
restrictions on hours of alcohol sales at licensed
premises. Current laws restrict pub opening
hours, in most instances, to between 11 a.m.
and 11 p.m., Monday to Saturday, and 12 noon
to 10.30 p.m. on Sunday.

“The new laws will revolutionize the way we
spend our leisure time and the way in which
many businesses are run. We are no longer
going to be constrained by outdated laws set
almost a century ago,” said Licensing Minister
James Purnell.

According to a BBC report, Purnell said the
laws would combat binge-drinking and violent
crime, adding there were several safeguards

to ensure this. Although pubs will be allowed
longer opening hours, they will face more
stringent controls. The new Licensing Act would
enable the authorities to close down pubs more
easily and bring in new management or reduce
licensing hours

But researchers Martin Plant, PhD, and
Moiria Pant, PhD, of the Centre for Public
Health Research, University of the West of
England, say these changes come at a time
when the UK is experiencing a moral panic
about “binge drinking” among young adults.
This type of behavior has been accompanied
by clear evidence of increased heavy drinking,
rising alcohol-related violent crime and liver
disease.

Not everyone thinks that round-the-clock
drinking opportunities are such a good idea.
According to “Bar Wars: Media Frenzy and

■

The new laws will revolutionize the way we spend our leisure time and the way in which many businesses are run. We are no longer going to be constrained by outdated laws set almost a century ago.

Licensing Chaos under Tony Blair” a report by Plant and Plant presented at the 31st Annual Symposium of the Kettil Bruun Society in May, the legislation has been fiercely attacked from all sides. Researchers have joined with clinicians, police chiefs, politicians, the news media and even some bar owners, to oppose the extension of bar opening.

For example, a report made to the Home Office by the Council of Circuit Judges—which represents 636 Crown Court judges—said: “Those who routinely see the consequences of drink-fuelled violence in offences of rape, grievous bodily harm and worse on a daily basis are in no doubt that an escalation of offences of this nature will inevitably be caused by the relaxation of liquor licensing which the government has now authorized.”

According to the BBC Judge Charles Harris said a high proportion of British people become “pugnacious and bellicose” and “fight at the slightest provocation” after drinking.

“A very large proportion of domestic violence is committed by people who have been drinking—and if they hadn’t been drinking so much, they wouldn’t be so violent,” said Harris. In response to the government’s contention that longer opening hours would lead to more “continental” drinking habits, he said:

“Continental-style drinking requires continental-style people—people who sit quietly chatting away at cafe tables” and that British drinking involved “standing up, shouting at each other in crowded bars, trying to consume gallons of beer at a time.”

According to the *Times*, the judges are also angry that the Government did not consult them before pressing ahead with what will be the biggest shake-up in the licensing laws for 90 years.

While the government rejects suggestions that the changes would increase binge drinking, the judges said: “We regard it as wishful thinking to suppose that the introduction of the Licensing Act will bring about the cultural change which the Government envisages.” The paper said that the only way to curb alcohol-fuelled violence was to increase the price of drink to make it too expensive to drink to excess.

And law enforcement officials are equally skeptical about the extended hours of sale. The Association of Chief Police Officers has also criticized the new laws, drawing upon the behavior of young British people in popular holiday resorts to illustrate the effects of allowing pubs to open later or for 24 hours.

In a paper Acpo questioned the fundamental



argument behind the Government's policy, namely that variations in closing times would lead to less trouble at night. "The assertion that 11pm closing leads to binge drinking is simply not supported by the evidence."

Acpo also said there was "a strong link between the increase in disorder and the explosion of late-night premises" and that "one only has to look to popular holiday destinations to see the effect of allowing British youth unrestricted access to alcohol."

Support for Extended Hours

Tessa Jowell, the minister responsible for the legislation, told the Association of Licensed and Multiple Retailers in 2002, "Pubs are at the heart of our communities, both in town and country. They bring a great deal of enjoyment and social contact for people of all ages . . . But our licensing laws speak for another decade, not our own."

"This will put a long-needed end to the double madness of people gulping two or three rounds of drinks to beat last orders and then all being chucked out at the same time," said

Jowell, who claims that extension of opening hours would reduce the prevalence of impaired patrons leaving pubs at an identical "closing" time.

The Local Government Association says that locals faced with rowdy pubs in their street will benefit from new powers to petition councils to alter a bar's licensing conditions for the first time under the new legislation.

Previously, magistrates issued liquor and entertainment licenses and only had powers to grant a license and revoke it. The new system gives councils greater, more flexible powers, including altering the terms of a license, such as opening hours, suspend a license for up to three months, or revoke it altogether and force the premises to close.

In addition, when the new system does come into force in November, local people will be able to make the most of new powers given to councils to deal with rowdy pubs, clubs and bars.

Sandy Bruce-Lockhart, the chairman of the LGA, told the *Guardian* that this would make local people the "real winners" of the licensing reforms.

But critics of the new legislation point to the are taking an increasing toll that drinking habits of are taking, according to figures show-

**The
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ing that alcohol-related deaths soared in the past five years by 18.4 percent.

According to a report in the *Guardian*, the Liberal Democrats, who obtained the numbers from the Office for National Statistics, called for a rethink of the government's strategy on pub opening hours as they revealed that the increase in deaths in some regions was higher still.

The biggest hike was in Yorkshire and Humberside, where deaths related to drinking rose by 46.5 percent. In 2000, the region had 428 alcohol-related deaths, but 627 people died from drink in 2004.

Lynne Featherstone, the Liberal Democrats home affairs spokeswoman, questioned the wisdom of the government's strategy on licensing hours.

"These figures are deeply worrying," she said. "The government must address the underlying reasons why people are drinking themselves—literally—to death."



■
“I am worried that the proposed change to licensing laws will add to this startling increase in drink related deaths. The government should pause for more thought before it brings in the changes to the licensing laws in November.”

Alcohol Concern, the national agency on alcohol misuse, said the figures were deeply worrying, and urged the government to think beyond its obsession with binge-drinkers whose noise and violence in the early hours offends the public and swamps accident and emergency departments.

The new figures concern problem drinkers, who may or may not be binge drinkers. “If they want to make changes to this sort of trend, they need to look at investing in specialist alcohol services,” said Geethika Jayatilaka, director of policy and public affairs in the Guardian.

Plant and Plant say that the diversity of the coalition of those voicing opposition to the legislation has also been striking and that all-day drinking has emerged as having few real supporters.

Stung by criticism, the Government has reiterated its goal in pushing for changes in the licensing laws. “We are not, and never have, promoted 24-hour drinking—that is a myth. We are promoting flexible hours to reduce violence at last orders,” said Culture Secretary Tessa Jowell in February 2005. □

SMOKING BANS IN THE UK

In contrast to the government’s scheme to make alcohol more available through extended hours of sales, the Blair administration is cracking down on smoking in public places. In June 2005 it put forward health proposals that call for a total smoking ban in public space, including drinking and eating establishments in England.

“Prime Minister Tony Blair is understood to have made the introduction of a ban a key goal for his third term in office. Downing Street insiders say that he considers it a ‘legacy issue’ that will define his premiership,” according to *The Observer* (June 19, 2005).

Earlier consideration of a smoking ban exempted pubs, but the current initiative advanced by Patricia Hewitt, newly appointed health secretary, could impose total bans on smoking in public all places, such as those in Ireland, New York City, and California.

Among other UK administrations, Scotland is reportedly closest to adopting a total ban, according to the *Guardian* (June 30, 2005), where health minister Andy Kerr said that smoking causes 13,000 premature deaths. Wales and Northern Ireland also have bans under consideration.

CRAZY QUILT OF RULES GOVERNING ALCOHOL

The United States has a patchwork of liquor regulations, which vary from state to state, city to city and, it seems, even neighborhood to neighborhood. More than 70 years after the end of Prohibition, there’s little consensus in America on where and when you can imbibe.

So-called blue laws, banning sales of alcoholic beverages on Sundays and some holidays, remain in force in hundreds of cities and counties. Wet and dry jurisdictions overlap, with wet some cities located in dry counties. And an open container of alcohol in a vehicle’s passenger compartment is fine in some places, illegal in others.

Some alcohol regulations apply statewide; others are fiercely local, dictated by the results of city or county referendums. Although restrictions are more common in the South, they can appear anywhere.

The two major alcohol rules that are standard in the United States are the minimum drinking age of 21 and the .08 legal blood-alcohol limit for driving. Adoption of both measures by the states was tied to federal highway funds—a mighty incentive.

As for other controls on where and when people can drink, rules can vary drastically from jurisdiction to jurisdiction, with some rules applied to special circumstances in jurisdictions, such as parks and beaches.

On alcohol rule that dates back to Colonial are “blue laws” that restrict sales of alcohol on Sundays. These laws are still fairly common, but the tide seems to be turning against them.

Thirty-three states, including California, permit Sunday sales of distilled spirits, at least to some degree, according to the Distilled Spirits Council of the United States, a national trade association representing producers and marketers of distilled spirits. Some of these states may limit sales to certain areas or allow cities and counties to make their own rules.

Since 2002 about a dozen states have rolled back Sunday sales bans, according to the council. Washington state, for example, did so as recently as July 2005.

OPENING UP THE WINE MARKET



IN MAY 2005, THE U.S. SUPREME COURT struck down laws in Michigan and New York that prohibit out-of-state wineries from selling their products directly to consumers in those states. The Court declared that since both New York and Michigan allow in-state wineries to sell directly to consumers, these states unfairly discriminate against out-of-state shippers and unconstitutionally restrict interstate commerce.

At issue is the meaning of the interstate commerce clause, contained in Article III of the U.S. Constitution. The Supreme Court has

interpreted this clause as guaranteeing that every business has access to markets in every American state. However, in a seeming contradiction, the 21st amendment, which repealed Prohibition in 1933, gives power to regulate alcohol sales to individual states and forbids importing alcohol into any state “in violation of the laws thereof.” Individual states, under the 21st amendment, can thus restrict the free movement of alcoholic beverages across their borders.

Twenty-four states, including New York and Michigan, do just that. They have passed laws



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that ban consumers from purchasing alcohol directly from out-of-state producers. Many of these states implement a three-tier system of alcohol sales: producers or manufacturers from all over the world (tier one) sell their products to licensed distributors or wholesalers (tier two), who sell their products to licensed retailers (tier three). The licensed retailers then sell alcohol to consumers. According to the states, the three-tier system ensures that taxes are collected and that minors are denied access to alcohol. In addition, the three-tier system allows the states to enforce safety and quality standards. Law enforcement agencies, for example, can inspect an in-state producer of alcoholic beverages, but would have no ability to inspect an out-of-state producer. The laws forbidding direct sales to consumers also mean that the Internet cannot be used to buy alcohol if the purchase requires transportation across state lines.

Siding with New York and Michigan in the case were 36 other states, wholesalers of alcoholic beverages, traffic safety and anti-alcohol-

ism groups, the National Association of Evangelicals and the Law Enforcement Alliance of America, among other national organizations.

For the specialty wineries that brought their case to the Supreme Court, however, the three-tier system is a hardship that unfairly limits their ability to sell their products. These wineries, one in Loudon County, Virginia and one in Lodi, California, are so small that they cannot access the large distribution networks that would allow them reach consumers across the country. Instead, they must rely on direct sales to their customers, often through e-commerce. In their case, the winemakers contended that the bans on the direct sale of alcohol were discriminatory in states where in-state producers could sell directly to the consumer, but out-of-state producers could not.

Writing for the Court's 5-4 majority, Justice Anthony M. Kennedy agreed with the small wineries. He found that Michigan and New York had unconstitutionally attempted to discriminate in favor of local producers.

"The discrimination is contrary to the Commerce Clause and is not saved by the Twenty-first Amendment," wrote Kennedy. However, the Court ruled that state laws are protected under the Twenty-first Amendment when they "treat liquor produced out of state the same as its domestic equivalent."

■

For the specialty wineries that brought their case to the Supreme Court, however, the three-tier system is a hardship that unfairly limits their ability to sell their products.

In its decision, the Court rejected the idea that states would be unable to collect taxes on products shipped directly to consumers from out-of-state. In addition, the Court saw “little concrete evidence for the sweeping assertion that they (the states) cannot police direct shipments by out-of-state wineries.”

In addressing the question of whether direct shipping—and e-commerce—increases access to alcohol by underage drinkers, the Court relied heavily on a July 2003 Federal Trade

Commission Report. That report concluded that states can limit sales to minors through less restrictive means than an outright ban on direct shipping. Many states, for example, require that alcohol containers be clearly labeled and that the shipper obtain proof of age and a signature before delivery of the product. These states reported few or no problems with direct shipments to minors.

Although 24 states ban direct sales of alcohol to consumers, only eight are in violation of the



■

Chipping away at the system is a lawsuit, filed in February 2004 by Costco Corporation against the Washington State Liquor Control Board. That suit seeks to overturn the three-tier system by allowing Costco to negotiate directly with producers of alcohol rather than buy from distributors.

Supreme Court's anti-discrimination ruling.

In addition to New York and Michigan, these states are Vermont, Massachusetts, Connecticut, Florida, Indiana and Ohio. There is some chance that these states will ban both in-state and out-of-state sale of alcohol, thus bringing them into compliance with the Supreme Court decision. In New Jersey, for example, there is a total ban on direct shipment of alcohol to consumers. As might be expected, a total ban is more likely to be instituted in states where there are few wineries.

George Hacker, JD, director of the alcohol policies project for the Center for Science in the Public Interest, says that the Supreme Court decision will not have a great impact on youth access to alcohol, at least in the short term. He notes that many young people can readily obtain alcohol by stealing it out of their parents' liquor cabinets, buying it themselves or getting someone who is 21 to buy it for them. And, instant gratification is important to underage drinkers; they do not want to wait days or weeks for their product to arrive from out-of-state suppliers. Price is a consideration, too. The specialty wines available from out-of-state producers tend to be more expensive than the alcohol at the corner store.

However, in the long term, Hacker believes that there are reasons to be concerned.

"What may be at stake is the integrity of the three-tier system and the role of wholesaler," he

says. "There is a need to ensure that the distribution of alcohol isn't totally liberalized. If the whole system is chipped away, there could be problems."

Chipping away at the system is a lawsuit, filed in February 2004 by Costco Corporation against the Washington State Liquor Control Board. That suit seeks to overturn the three-tier system by allowing Costco to negotiate directly with producers of alcohol rather than buy from distributors. Under current state law, Costco can obtain alcohol only from distributors. These distributors, in turn, must charge mark-ups of at least 10 percent, maintain selling prices for an entire month and charge the same prices regardless of how much a retailer buys or who delivers the product. If Costco prevails, the ramifications could be felt nationwide.

But whatever the outcome of the Costco lawsuit, Hacker says that the regulation of alcohol in most states takes a "consumerist rather than a public health perspective." This perspective, clearly evident in the Supreme Court decision, may lead to policies regarding alcohol that although beneficial to the consumer, are detrimental to public health. As Hacker says, "it bears watching." □

Editor's note: The cases are Granholm v. Heald, No 03-1116, Michigan Beer & Wine Wholesalers Association v. Heald, No 03-1120 and Swedenburg v. Kelly, No 03-1274.



Lower the Drinking Age?

TWO NEW BILLS TO LOWER THE LEGAL DRINKING AGE are winning support in Vermont and Wisconsin. However, researchers argue that it has already been proven that a lowered drinking age leads to more highway fatalities and multiple other problems.

The Vermont bill, proposed by Republican state representative Richard C. Marron, would lower the drinking age from 21 to 18 for all young people. The Wisconsin bill, proposed by Republican state representative Mark Pettis, would lower the age from 21 to 19 for young people serving in the military.

Marron chose to sponsor his bill after a former Vermont college president wrote in *The New York Times* that a lower drinking age would reduce binge drinking and alcohol poisoning among young people. Pettis created his legislation because he believes young people who risk their lives for the United States in the military are old enough to order drinks at a bar.

"We're treating these young men and women as adults when they're at war," Pettis told the

Associated Press. "But we treat them like teenagers when they're here in the states."

However, researcher Alex Wagenaar, PhD, who has studied the affect of the legal drinking age on drinking behavior for more than 20 years, said lowering the age actually

increases binge drinking, drunk driving and other problems

among teenagers. Wagenaar said that when some states lowered the drinking age in the 1970s, there was a documented increase in such problems.

"It's amazing that this is even coming up again with the amount of evidence we have," said Wagenaar, professor of epidemiology and health policy research at the University of Florida College of Medicine. "The evidence is very clear that the 21-year drinking age has reduced drinking and car crashes."

Joel Grube, PhD, director of the Prevention Research Center in Berkeley, has extensively reviewed scientific literature on the topic.

"What the literature shows is that the universal drinking age of 21 is probably the single

We're treating these young men and women as adults when they're at war. But we treat them like teenagers when they're here in the states.



We've been there and done that, referring to the period in the early 1970s when the drinking age was lowered. Are memories that short? It's amazing this could come up again.

most important piece of prevention that has happened in terms of underage drinking problems," Grube said.

As for Rep. Pettis' contention that young members of the military should be allowed to drink legally in Wisconsin, Grube said, "That's just what we need—a young, drunk soldier with a gun."

It was in the fall of last year (2004) that former Middlebury College president John M. McCardell Jr. wrote an op-ed piece for *The New York Times*, in which one of his targets was the minimum drinking age.

"The 21-year-old drinking age is bad social policy and terrible law. Our latter-day prohibitionists have driven drinking behind closed doors and underground," he wrote.

McCardell went on to say he was astonished that college students had "acquiesced in so egregious an abridgment of the age of majority. Unfortunately this acquiescence has taken the form of binge drinking."

McCardell wrote that he believes, "Colleges should be given the chance to educate students, who in all other respects are adults, in the appropriate use of alcohol, within campus boundaries and out in the open."

What's more, McCardell wrote that the drinking age remains what it is because, "State legislators, many of whom will admit the law is bad,

are held hostage by the denial of federal highway funds if they reduce the drinking age."

Historically, nearly every state in the United States set a legal drinking age of 21 following the repeal of Prohibition in 1933. Twenty-one was the legal voting age at the time, as well. In the early 1970s, 29 states lowered the voting age from 21 to 18 and lowered the drinking age from 21 to either 18, 19 or 20.

The results were obvious early on. During the late 1970s, studies showed that traffic crashes among young people had increased since the lowering of the drinking age. When those studies were made public, 16 states raised their legal drinking age to 21. In 1984, the National Minimum Drinking Age Act was passed, and the U.S. government threatened to cut highway funding if the remaining 13 states hadn't raised their drinking ages by 1987. They all did. Since that time, the drinking age has remained stable at 21, and Wagenaar and Grube say that is for good reason.

"We've been there and done that," said Wagenaar, referring to the period in the early 1970s when the drinking age was lowered. "Are memories that short? It's amazing this could come up again."

Statistics from the National Highway Transportation Safety Administration show that the number of drunken drivers under age 21



involved in fatal crashes decreased by 61 percent from 1982 to 1998. The agency also estimates that 22,798 lives were saved from 1975 to 2003 by higher-drinking-age laws. Even so, all along there have been groups that support a lower drinking age.

Currently, the National Youth Rights Association strongly favors confronting what it calls the "Youth Prohibitionist Movement" and lowering the drinking age.

Alex Koroknay-Palicz, 23, the executive director of NYRA, has been campaigning for the Marron bill on Vermont college campuses, saying it is a matter of civil rights and safety for teenagers. Koroknay-Palicz argues that it is better for young people to drink in "controlled situations," such as bars, than to attend keg parties where there is no control.

On the NYRA website, www.youthrights.org, the group has posted a study by Thomas Dee and William Evans of the Swarthmore College Department of Economics, which claims that a reduction in traffic fatalities among youths in recent years is due more to speed limit reductions and seatbelt laws than to an increase in the legal minimum drinking age. The study says that traffic deaths among youths between ages 21 and 24 have actually increased since the drinking age was increased to 21.

The NYRA website also suggests that a "solu-

tion" to youth drinking problems would be for the United States to adopt an approach similar to the approach in Europe where countries either have lower or no minimum legal drinking age.

It is a common argument that countries with more liberal attitudes toward alcohol that allow alcohol consumption among teenagers in the home foster a more responsible style of drinking all around. In contrast, the argument goes, in countries where drinking is prohibited among youths, the youths partake in more irresponsible drinking and binge drinking.

That is a myth, according to Wagenaar. He said that research shows that, in a majority of European countries, a greater percentage of young people binge drink and have higher rates of intoxication than young people in the United States. Countries such as France and Italy, which are often cited as models for good behavior around alcohol, actually have higher rates of cirrhosis of the liver, according to Wagenaar.

Traffic deaths may be lower among young people in Europe, but often minimum driving ages are higher, and public transportation is used more frequently there.

It appears that early drinking with the family in Europe does not produce the responsible drinking behavior so often touted.

Wagenaar said another myth that enjoys

widespread acceptance is that the 21-year drinking age causes American youths to drink excessively after they turn 21. Actually, a study that Wagenaar led found that when the minimum drinking age is 21, there is actually a lower use of alcohol among youths after they turn 21.

Still, views such as McCardell's are shared by many, though they do not necessarily say they are basing their opinions on research. Ronald D. Liebowitz, current president of Middlebury College, said he agrees with McCardell's stance about lowering the drinking age. And, 17 lawmakers have signed on as co-sponsors of Rep. Marron's legislation. Others have said they would sign on except for a fear of losing federal money. Rep. Marron, who owns a resort that holds a liquor license in Vermont, said that his business ownership has nothing to do with the bill.

At the same time this bill is being considered in Vermont another bill under consideration there would increase the minimum legal smoking age to 21. This bill is also opposed by NYRA, which says it discriminates against young adults, much as the drinking age does now. Grube said that, from a public health perspective, keeping the minimum legal drinking age at 21 is a "no-brainer. Changing it makes no sense." □

THE WORLD HEALTH ORGANIZATION

EVERY YEAR, ALCOHOL CONTRIBUTES TO THE DEATHS OF 1.8 MILLION PEOPLE

around the world. Four percent of the burden of global disease—as much as tobacco or hypertension—is due to alcohol. So says research presented to the governing body of the World Health Organization (WHO) at its annual meeting in May. Given the extent of the global alcohol problem, WHO recently initiated a major study on alcohol use, its first in more than 20 years. The study, which is due to be completed within two years and is intended as a first step in a broader program, will mark a relative high point in activity related to alcohol by the world body. But WHO has not always been actively involved in alcohol-related health issues. In the last two decades, its history has been one of “ups and downs.”

Robin Room, Ph.D., professor at the Center for Social Research on Alcohol and Drugs at Stockholm University, Sweden has studied WHO and alcohol. At a presentation at the 31st Annual Alcohol Epidemiology

Symposium of the Kettil Bruun Society for Social and Epidemiological Research on Alcohol in Riverside, California in May/June of 2005, Room spoke of WHO’s uneven history with respect to alcohol. In doing so, he considered how issues that have been linked to alcohol—what Room calls “sibling issues”—have influenced policy. He also looked at how some of the “outside players” have impacted WHO’s work.

Sibling issues

Mental Health: Until the 1970s, WHO considered problems with alcohol consumption to be psychiatric in nature and addressed the issue under the category of mental health. In the mid-1970s, however, the approach became an epidemiological one and by 1979 the agency advocated a population approach to “alcohol-related problems.” Since that time, WHO’s work with alcohol has been moved in and out of the psychiatric framework. According to Room, the linkage of alcohol with mental health has not “served the interests” of alcohol programming; WHO devotes the bulk of its mental health funding to problems other than alcohol abuse.



World Health Organization

AND ALCOHOL

For the last 30 years, the U.S. has been a major player in WHO's alcohol program. Its National Institute on Alcohol Abuse and Alcoholism has assisted the world body by providing funding.

Illicit Drugs: As a public health agency, WHO takes a public health approach to illicit drugs which tends to emphasize harm reduction. Unfortunately, harm reduction is at odds with the U.S. War on Drugs. WHO's work in the area of illicit drugs has thus generated opposition from the U.S. government, resulting in unwelcome controversy at the organization. Consequently, drug issues are "low profile" at WHO. According to Room, the linkage of drugs and alcohol "has probably impeded WHO's work on alcohol."

Tobacco: The negotiation of WHO's Framework Convention on Tobacco Control (FCTC), a monumental effort to reduce tobacco use worldwide by regulating marketing, trade and pricing of the substance has had an adverse effect on alcohol programs. As might be expected, the development of the FCTC antagonized tobacco companies in the U.S. and Britain, who exerted pressure through their governments to weaken the document. In recent years, WHO was reluctant to pursue a strong program on alcohol for fear of compromising the FCTC.

Outside Players

The alcohol industry: Although it is clear that the industry and industry-funded organizations monitor WHO's alcohol-related programs, there is nothing but anecdotal evidence about

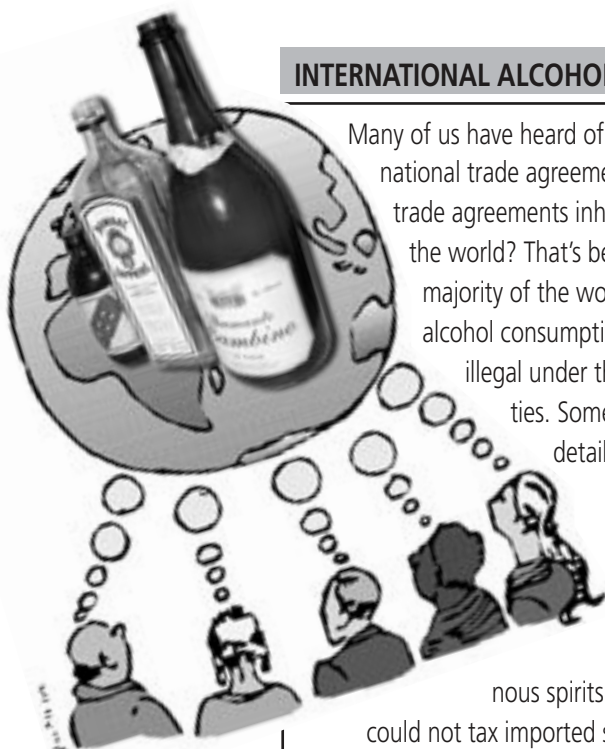
industry actions behind the scenes. At the WHO's Executive Board meeting in January, 2005, the U.S. delegation led the effort to press for the alcohol industry to be represented at the table in any WHO planning on alcohol. Industry interests would like to be able to veto actions which might harm their markets, and are also eager to avoid the "pariah status" of the tobacco industry.

International Center for Alcohol Policies (ICAP): This group, set up in 1995 by 11 multinational alcohol producers, disingenuously presents itself as a public health alternative to WHO. Although this approach has been ineffective at WHO, ICAP can be influential in discussions about alcohol policy in developing countries.

The United States: For the last 30 years, the U.S. has been a major player in WHO's alcohol program. Its National Institute on Alcohol Abuse and Alcoholism has assisted the world body by providing funding. On the other side of the coin, in recent years the U.S. government has pressured WHO on behalf of alcohol industry interests.

The Nordic countries: The Nordic countries, particularly Sweden and Norway, have supported a high level of alcohol-related activity at WHO. They have also helped with funding.

The research world: WHO is committed to programs that are evidence-based, so international researchers often plan and implement the organization's programs. Current research shows that politically acceptable strategies, such



INTERNATIONAL ALCOHOL TRADE AND PREVENTION

Many of us have heard of NAFTA, CAFTA and GATT (see below), the acronyms for international trade agreements that are often in the news. But did you know that these trade agreements inherently undermine successful alcohol control policy throughout the world? That's because the trade agreements, which have been signed by a vast majority of the world's nations, interpret many of the strategies that can reduce alcohol consumption as constraints on trade. Thus, these strategies are deemed illegal under the agreements, and violators are subject to severe penalties. Some of the effects of the trade agreements on alcohol policy are detailed below.

Downward pressure on the price of alcohol. Through a provision called National Treatment, a country must treat foreign service suppliers, including suppliers of alcohol, no less favorably than domestic suppliers. This means that a country cannot tax imported spirits to maintain a low price for indigenous spirits. In Chile, for example, a trade panel ruled that the government could not tax imported spirits with higher alcohol content than the Chilean liquor pisco because this had the effect of protecting the Chilean product.

Discourage the regulation of alcohol advertising. While there have been no cases on this subject that have come through the World Trade Organization, the European Court of Justice ruled against a Swedish advertising ban on spirits, wine and beer. The court said that the advertising ban discriminated against imports because domestic products are already familiar to consumers. In light of this ruling, consumer groups will have a hard time convincing regulators to ban or restrict alcohol advertising.

Prohibit a limitation on the number of alcohol outlets. Under the General Agreement on Trade in Services Article XVI, there can be no limitations of alcohol supply, retail outlets, total volume or total sales. Countries must provide full market access.

Weaken state alcohol monopolies. By their very nature, state monopoly systems reduce opportunities for free-market commerce and thus run contrary to the purpose of the trade agreements. Although monopolies are allowed by the trade agreements, they are restricted. In Norway and Finland, for example, government alcohol monopolies are finding it increasingly difficult to operate.

In light of the damage that trade agreements can inflict on alcohol control policy around the globe, activists must raise awareness of the effects of these agreements on public health. If they do not, the alcohol industry will continue to push the agreements, thus maximizing the movement of alcohol across international borders.

NAFTA stands for North America Free Trade Agreement, CAFTA stands for Central American Free Trade Agreement, and GATT stands General Agreement on Tariffs and Trade

Editor's Note: The information in this article was obtained from the presentation by Donald W. Ziegler, PhD, deputy director, A Matter of Degree, at the 31st Annual Alcohol Epidemiology Symposium of the Kettil Bruun Society for Social and Epidemiological Research on Alcohol in Riverside, California in May/June 2005.

as treating alcoholics and alcohol education in schools, are not as effective as broad-based practices to reduce harm in the population as a whole. Thus, researchers find themselves at odds with industry interests and with individual member nations. Despite lobbying from these groups, researchers have been successful in maintaining the emphasis on evidence-based programs.

In the current international climate in which trade agreement and globalization diminish the ability of nations and regions to manage alcohol markets, Room concludes his paper with a call to action. WHO should help member states initiate programs they know to be effective, even if these program are politically unpopular. And, realizing that any increase in WHO's alcohol-related activities will increase the opposition to its programs, WHO should work to build support for its programs worldwide. □

A NEW TOOL FOR ENFORCING ALCOHOL LAWS

THE 21ST AMENDMENT THAT ENDED PROHIBITION some 70 years ago left it to the states to regulate the sale of alcoholic beverages, and alcohol laws in our 50 states have a lot in common. No selling of alcohol to youths below the legal drinking age . . . no serving to bar patrons who are obviously drunk . . . no driving under the influence. Laws like these recognize

the risks to public health and safety associated with sale and service of alcohol.

But what's happening in the 50 states is another story.

Many states, counties and cities are poorly equipped to enforce their alcohol laws, and the Federal government is taking a major step to help remedy the situation.

The Bureau of Justice Assistance in the U. S.

This strong federal support for an effort to build capacity at the state and local levels for alcohol law enforcement is very significant





The Center goes beyond underage drinking into all law enforcement issues such as sales to intoxicated persons, and strategies to reduce impaired driving and other alcohol-related violence.

Department of Justice is underwriting a nationwide effort to beef up the enforcement of state alcohol laws. A new National Center for Alcohol Law Enforcement (NCALE) will be providing training and technical assistance to local law enforcement agencies to help carry out the intent of state alcohol laws. The Center is being established by the Pacific Institute for Research and Evaluation at Calverton, MD.

"This strong federal support for an effort to build capacity at the state and local levels for alcohol law enforcement is very significant," says PIRE's James Mosher, JD, a longtime advocate for keeping a legal rein on alcohol sales and service. "In the past alcohol law enforcement has had a very low priority at all levels of government, and the result is that alcohol laws are widely violated. Research has now demonstrated that enforcing laws that are already on the books can have a huge potential benefit for public health and safety."

Rebecca Ramirez of PIRE, director of the Center, sees this initiative as another step in bringing public health advocates together with

enforcement agencies in efforts to reduce alcohol problems. An initiative by the federal Office of Juvenile Justice and Delinquency Prevention to improve enforcement of underage drinking laws already has already developed new relationships between public health and enforcement agencies.

"The new Center will build on that," Ramirez told Prevention File. "The Center goes beyond underage drinking into all law enforcement issues such as sales to intoxicated persons, and strategies to reduce impaired driving and other alcohol-related violence. We'll also be looking at ways to deal with problem establishments that are associated with drugs and violence."

The NCALE approach will be based on research showing that even a modest enforcement effort can produce a significant gain in compliance with alcohol laws, Ramirez says. She cites a study in Texas where retailers in two counties were notified by letter that increased attention would be given to enforcement of state laws restricting happy hours and drink specials. Some undercover enforcement operations were mounted to give credibility to the warning, and the combination of the letter and the modest enforcement effort produced substantial changes in compliance with the law.

One challenge facing NCALE is the differ-



drinking & driving don't mix.

Cops are cracking down like never before. If you have more than a few drinks and get behind the wheel, you will be arrested.



ent approaches to alcohol control in different states. Their licensing procedures differ. Some are more concerned with enforcement than others. "Some state agencies have great relationships with local law enforcement agencies, and they tend to work together very well," says Ramirez. "But there are other states that either don't have the resources for an enforcement effort or don't have a tradition of applying such resources at the local level. The powers given to enforcement agents also vary from state to state."

NCALE plans to deal with this patchwork through four regional directors. All four are former chiefs of state alcoholic beverage control agencies. All four also are past presidents of the National Liquor Law Enforcement Association. "Among the four of them, they have more than a century of law enforcement experience," Ramirez says.

One of the regional directors is Chris Curtis, who spent 30 years with the Virginia Department of Alcoholic Beverage Control and served as its director for the last ten years. He will direct the new Center's activities in the southeastern United States. A major goal, as he sees it, is to drive home the link between alcohol law enforcement and the kind of health and safety problems that communities want to reduce.

"We want to make sure that local communities understand the importance of alcohol law enforcement in terms of preventing larger and more significant problems down the road," he told Prevention File.

Curtis says some states have a central or statewide alcohol law enforcement agency, and the new Center will be working through that agency to bring training and technical assistance to enforcement people in local communities. But in other states, the Center will have to find a different approach. "There are some states where there is literally no statewide enforcement on alcohol issues."

There are differences, too, in the kind of enforcement issues that concern different states. Some southern states are concerned with illegal distilleries—"moonshining." But others see no problem in that area. "I think part of our role is linking up states and localities with similar problems. We can ask for help from our colleagues in other states who have experienced similar problems and have come up with some novel approaches to solving them," says Curtis.

One approach used in some states but so far not developed in others is the use of "last drink" surveys to find out where DUI offenders were drinking just before they got behind the wheel of their vehicles. Establishments showing up frequently in such surveys help pick targets for enforcement of laws against sale of alcohol to intoxicated persons.

NCALE's regional efforts in the northeastern United States will be directed by Aidan Moore, former chief of the New Hampshire State Liquor Commission's Bureau of Enforcement. The western region falls under Rick Phillips, former chief of enforcement for the state of Washington's Liquor Control Board. The

director for the southwest region is Dave Reitz, former director of Colorado's Liquor Enforcement Division and current president of the National Liquor Law Enforcement Association.

Mosher believes the enforcement effort can tap into a desire by the majority of alcohol licensees to abide by their state laws. "When these laws are brought to their attention they make every effort to comply. The first step in our program is to work with licensees so they understand the laws, and then provide them with resources and expertise to be able to comply. When the community says this is an important priority and we want to work with you, it's only a small minority that continue to violate the law. At that point you need enforcement to get the message clearly across that this is a serious matter."

In states and communities where enforcement budgets are already stretched thin can the new Center expect officials to invest more resources in alcohol law enforcement? Mosher thinks this is not a problem.

"We firmly believe that enforcing existing laws on the books is not only the responsibility of enforcement but it is actually cost-effective because it will reduce the total number of calls for service. We believe alcohol law enforcement can be integrated into existing programs, so not only it won't be adding costs but in the long run it will be saving money for the community." □

Continued from inside front cover

Texas saw a 10 percent reduction in its alcohol-related fatalities, accounting for 141 fewer deaths than in 2003. Others making significant reductions included Minnesota, Kansas, Iowa, Nebraska and the District of Columbia.

Kansas, which had a 29 percent decrease in alcohol-related fatalities in 2004, has targeted drunken driving through media campaigns, use of sobriety checkpoints and extra law enforcement patrols during

weekends and at special events.

However, Utah had an 81 percent increase in alcohol-related fatalities, representing 29 more deaths in 2004 compared with the previous year. Mark Panos, deputy director of the Utah Highway Safety Office, attributed some of the growth to an increase in the number of motorists on the road as its population expands.

Several Southern states, including Georgia, Alabama, Arkansas, North Carolina and Tennessee, also posted higher fatality numbers.

Smoke-Free Pizza and Fried Chicken

Citing the importance of customer and employee health, KFC (Kentucky Fried Chicken) and Pizza Hut are enacting a no smoking policy for all company-owned restaurants. KFC and Pizza Hut are divisions of Louisville, KY-based Yum! Brands.

Beginning in late August and on a phased basis, "No Smoking" signs will be placed in all 1,200 KFC and 1,675 Pizza Hut restaurants owned by the company in the United States. The companies will also actively encourage their respective franchise operators to participate in this effort. There are 4,200 KFC franchised restaurants and 4,600 Pizza Hut franchised restaurants in the United States.

"The American Lung Association applauds both KFC and Pizza Hut for their efforts. This shows that they are concerned about the health of their employees and customers. Our experience is that the public embraces smoke-free environments. We hope that others follow their lead," said John L. Kirkwood, president and CEO, American Lung Association.

Alcohol Ban Improves Fraternity Life

Phi Delta Theta's move to alcohol-free housing in 2000 has been a positive move for the Fraternity, according to a white paper published by Edward G. Whipple, PhD, vice president for student affairs at Bowling Green State University. Among other things, Whipple's research shows that removing alcohol from the chapter facilities has:

- helped Phi Delta Theta to focus on its founding principles of friendship, sound learning, and rectitude
- improved the organization's overall academic performance
- stopped the deterioration of facilities
- kept insurance rates low
- helped recruit more members than peer organizations
- re-involved alumni members

"These were the Fraternity's goals going into this, and when you take a look at the data, it's obvious that we've been successful on many levels," said Michael Scarlatelli, president of Phi Delta Theta's General Council. "The fact that several large universities are following suit supports our policy moves." Those schools—Western Kentucky University, Cal-Berkley, California, State University-Chico, University of New Mexico, and University of Oklahoma—announced various alcohol-free housing policies this past semester.

Phi Delta Theta's overall grade point average for reporting chapters has increased since the implementation of The Alcohol-free Housing Policy to almost a 3.0 average compared to 2.77 in 2000, when the policy began.

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Ten Years Ago in *Prevention File* (Vol. 10, No. 3, Summer 1995)

DRINKING DRIVING DECLINES . . . WORLDWIDE

DRINKING AND DRIVING HAS BEEN ON THE DECLINE for the last decade in the United States, Canada, and other industrialized countries. If the experts can figure out exactly why, it will help in planning prevention strategies throughout the world.

What is evident is a profound change in attitudes toward driving while impaired by alcohol. What is less certain is the combination of forces that brought it about.

The downward trend in alcohol-impaired driving was the subject of an international forum at The Hague in the Netherlands, convened in 1993. Traffic researchers from the United States, Canada, Australia, the United Kingdom, Germany, the Netherlands and Sweden submitted papers and took part. A summary of the proceedings—*The Nature of and the Reasons for the Worldwide Decline in Drinking and Driving*—was published recently in the United States by the Transportation Research Board of the National Research Council.

Studies in all of the countries show a pattern of decline in drinking and driving, starting most often in the 1980s. All of the countries have engaged in multiple prevention strategies of one kind or another during this period, so the search for cause-and-effect relationships can be frustrating.

“The pattern and reason for the reduction vary from country to country,” says Barry Sweedler, chairman of the U.S. Committee on Alcohol, Other Drugs, and Transportation. “Some countries show large reductions among young drivers, others do not. Some show an improvement in the number of pedestrian alcohol fatalities, while in other countries that

is not the case. One might think that the reasons for the reductions would be similar from country to country, but after reading the papers it will be apparent that there is some similarity but there is quite a bit of difference.”

Participants in the Hague conference agreed that they had seen a profound change in social attitudes toward drinking and driving. They were less certain, however, about the reasons for the change. Roelf Wittnik, PhD, of the Netherlands, told his colleagues they can blame themselves for not doing enough motivational research.

“What in fact are the motivations to drink or not to drink alcohol? To drink and drive or not drink and drive.”

While all of the countries have been cracking down on drinking drivers in their laws and

enforcement policies, there is little evidence that tougher laws by themselves can be counted on to produce a reduction in drinking and driving. Establishing roadblocks for random breath testing of drivers was found to be a factor in lowering drinking-driver rates in most countries. The researchers pointed out, however, that maintaining the roadblock itself was less important than assuring that people are aware of the potential for getting caught if they drink and drive.

Editor's note: Progress has stalled in the decline of drinking and driving worldwide, according to the Insurance Institute for Highway Safety Status Report (April 2, 2005). Even in Australia, considered a world leader in policies to reduce alcohol-impaired driving, the progress has stalled. The involvement of alcohol in road crashes has not fallen further in the last decade. Since 1992 about 25 to 30 percent of all fatally injured drivers have had BACs higher than 0.05 percent. This has been a general pattern. In the United States progress also has stalled. Since 1997 about 31 to 33 percent of fatally injured drivers have had BACs of 0.08 percent or more. In Sweden the progress hasn't just stalled. It has reversed, going from 18 percent of fatally injured drivers with alcohol in their blood in 1997 to 29 percent in 2003. One reason is that breath testing has declined. In the United States officials in only a few jurisdictions are conducting sobriety checkpoints on a routine basis. Even though this approach has been shown to deter impaired drivers, it isn't implemented very often or in very many U.S. communities. For more information see www.buysafety.org/srpdfs/sr4004.pdf

